

XXI. The service of any summons in cases of prosecutions for offences as above mentioned, shall be proved in open Court, by the oath of the Bailiff, Constable, or Peace Officer who shall have made such service; and the service of summonses to witnesses, or of any other order of the said Court requiring to be served, shall be served in the same manner.

Proof of service.

XXII. The execution of any judgment rendered in any civil action as above mentioned, shall be levied by the seizure and sale of the goods, moveables and effects of the Defendant.

Execution of judgments.

2. The Bailiff the bearer of the writ of execution shall proceed to the seizure and sale in the manner prescribed and practised in cases of seizure and sale under execution issued by any ordinary Court of civil jurisdiction in Lower Canada.

3. The sale of the moveables and effects seized shall only take place on the Thursday next after the Sunday on which public notice of such sale shall have been posted up at the door of the Church of the parish in which the Defendant has his domicile, and in which the moveables and effects shall have been seized.

XXIII. If the property of the Defendant is already under seizure in virtue of any writ of execution issued by any other Court, in such case, the Bailiff the bearer of the writ of execution issued by the said Recorder's Court shall not make any seizure, and upon production to him of the *procès verbal* of the said seizure, he shall hand over the writ issued by the said Recorder's Court to the Sheriff of the District, or to the Bailiff who shall have made the seizure (as the case may be).

If there be a previous seizure.

2. The delivery of the said writ of execution shall have the effect of an opposition *afin de conserver*, and shall be sufficient to secure to the said Corporation, by privilege, (in cases in which such privilege exists) the payment of the sum due, including principal, interest and costs.

XXIV. In case the Defendant does not possess any goods or chattels within the District of Quebec, or in case they are not sufficient to satisfy the amount of the judgment obtained, or in case after the sale of the said goods and chattels of the Defendant, a balance on such judgment still remains due to the said Corporation, in all such cases, if the sum due exceeds forty dollars, and the Defendant possesses any immoveable property, lands or tenements within any district in Lower Canada, then the said Recorder's Court may issue a writ *de terris*, sealed and signed as aforesaid, and addressed to the Sheriff of the District in which the said immoveables are situated.

In case defendant has no moveables.

Writ de terris.

2. The said writ shall be returnable into the Superior Court for the District of Quebec, setting in the said City of Quebec.

Where returnable.

3. Upon the receipt of the writ, the Sheriff to whom it is directed shall act and proceed in all respects as regards the said writ as if it had been issued by the Court, and he shall make a return thereon, and of his proceedings in respect of its execution to the said Superior Court at Quebec as above provided.

Duty of Sheriff.

4. And all ulterior proceedings of what kind soever, consequent upon the issuing of such writ, or necessary to the execution thereof, as well with regard to the plaintiff and defendant, as with regard to other parties who, in due course of law, may intervene, by opposition or otherwise, shall be had in the said Superior Court, in the same manner as if the said action had been originally brought and determined in the said Superior Court.

Ulterior proceedings.